

Conservation Commission Minutes 04/13/2016

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MONSON CONSERVATION COMMISSION
MINUTES APRIL 13, 2016

MEMBERS PRESENT: Glenn Colburn, Leslie Duthie and Davis Johnson.

7:00 Edward Forest met informally with the Commission to discuss a deck he has been hired to construct at 13 Lakeside Drive. There is an existing deck and the topography of the land will allow for another deck to be constructed beneath the existing deck. It is proposed to attach the new deck to the existing deck so no excavation is needed.

Glenn Colburn stated when the Commission looked at the site there were a lot of boulders

Edward Forest stated he believed they were for the run off.

Glenn Colburn questioned if it was a paved driveway?

Edward Forest stated yes.

Glenn Colburn stated there is no excavation and no concern with erosion it would appear there is no need for a filing.

Leslie Duthie questioned if the existing gravel would be left?

Edward Forest stated it would be left so there will still be some infiltration of the run off.

It was the consensus of the Commissioners that there was no increase in impervious surface and no increase in run off so a filing was not necessary.

7:15 RFD 22 Betty Jean Drive, Monson Highway Department for work to extend an existing outlet from the street beyond the house at 22 Betty Jean Drive.

Donald Frydryk, Sherman & Frydryk, Land Surveying & Engineering, explained that the property owner spoke with John Morrell to see if he could something to correct the existing drainage that starts at the road, comes out at the foot of the slope and drains across her yard to the wetland. The property owner has granted an easement to allow a system that gets the water past her yard. Improvements include construction of a drainage manhole at the existing pipe outlet and placement of 144 feet of pipe to discharge into a rip rap outlet pad outside the wetland limit. Donald Frydryk stated it will mean a couple of trees will have to be removed and the property owner has been notified about the tree removal.

Glenn Colburn stated to clarify this is Bordering Vegetated Wetlands.

Donald Frydryk stated he believed it is a long wetland system. The Highway Department is asking for a negative determination.

Glenn Colburn questioned the depth of the pipe?

Donald Frydryk stated it is four feet but would be deeper when it drops down the slope.

Glenn Colburn stated he did not see how the two trees close to those to be cut could be saved.

Davis Johnson stated he did not think it would be worthwhile replacing the trees.

Leslie Duthie stated any tree that is replanted would impact the line.

Leslie Duthie moved to give a negative determination for work described in the Request for Determination that is within the Buffer Zone as defined in the regulations, but will not alter an area subject to protection under the Act, and does not require the filing of a Notice of Intent.

Glenn Colburn seconded the motion.

It was so voted, unanimous.

7:35 Leslie Duthie asked Donald Frydryk if he could explain what it meant if land was cleared through Land Court? She stated she was working with a land owner in Monson who was interested in selling acreage to the Conservation Commission but a portion of it was cleared through Land Court.

Donald Frydryk stated if there is not clear title to a property an owner can clear the title through Land Court. He stated there is a way to get the land removed from Land Court and is currently working with Charlie Wyman to remove land in Princeton from Land Court.

Leslie Duthie stated she would be interested in the process.

Donald Frydryk stated he has been hired by St. Patrick's Parish to prepare engineering to respond to a Cease and Desist issued by the Zoning Enforcement Officer to the church for work involving earth removal and tree cutting at the Catholic Cemetery on Bethany Road. He stated some of the area that has been disturbed is within the Rivers Protection Area most of the work involved cutting trees. He stated they are working to prepare a plan to regrade the area and stabilize the slope. He stated he was self-reporting the violation and questioned if the Commission wanted a Notice of Intent or Request for Determination.

Leslie Duthie how much riverfront area was to be restored?

Donald Frydryk stated the plan was not yet complete and he did not have the calculations. The idea is to keep it as simple as possible get a 3-1 slope and stabilize

Glenn Colburn stated it would be easier to issue a friendly enforcement order that will require the submission of a restoration plan for anything within the 200 foot riverfront area.

Leslie Duthie stated it should be taken into consideration when selecting the type of trees to be planted that this is a gravelly site.

Leslie Duthie stated she would issue the friendly enforcement order for a restoration plan no later than May 25, 2016 and specify native trees must be replanted.

8:00 RFD to verify the boundaries of resource areas within the New England Central Railroad right of way on the plan submitted with the request are correct.

Keith Morris notified the Commission he had a previous meeting and requested a continuance to May 4, 2016.

Leslie Duthie moved to continue the meeting to Wednesday May 4, 2016 at 7:15 P.M.

Davis Johnson seconded the motion.

It was so voted, unanimous.

8:00 RFD 75 Thayer Road, Dona Casher installation of an in-ground pool in the buffer zone to Bordering Vegetated Wetlands.

Glenn Colburn stated to clarify at the site visit the property owner stated all extra fill would be removed from the site and work area enclosed with erosion controls.

Leslie Duthie stated the pool area is outside the 50 foot buffer zone and moved to give a negative determination for work in the buffer zone that does not alter or dredge the area and does not require the filing of a Notice of Intent.

Davis Johnson seconded the motion.

Glenn Colburn stated there are options when it comes to erosion controls and in this instance he thought straw wattles would be better than the fencing that has to be dug in at the bottom.

It was so voted, unanimous.

12 Bethany Road the Commission issued a partial certification with the documentation provided that money is to be withheld to ensure the lawn and trees and bushes that have been planted establish and thrive.

Leslie Duthie stated she checked the property at 270 Stafford Road in response to the notification from DEP that there was a wetland violation and found that work involving cutting trees and clearing along the river has occurred without a filing. All of the work is taking place within the riverfront area.

The Commission will issue a Cease and Desist that asks the property owners to attend the Conservation meeting on May 4th and to submit a restoration plan at that time.

8:15 MAIL

1. Notification from Atty. McCoy that Lots 4 through 7 along Bogan Road owned by the Estate of Stella Furgal are to be removed from Chapter 61A.

Leslie Duthie moved to recommend to the Board of Selectmen that the Town waive its right of first refusal.

Glenn Colburn seconded the motion.

It was so voted, unanimous.

2. Copy of yearly operation plan from CSX Railroad.

3. Roger McDonnell Old Reed Road received the Enforcement Order.

4. Copy of forest cutting plan extension for 59 Paradise Lake Road, 17 acres, Appleby.

5. Copy of 2nd extension of forest cutting plan for 249 Hovey Road, Perreria.

Glenn Colburn stated he was contacted by Kate Edwards regarding the bridge across the brook at the former Monson Developmental Center. The sidewalk across the brook is undermined and DCAM would like to put down a metal plate as a temporary measure. Glenn Colburn stated he sent her a letter on behalf of the Commission to move forward with the temporary measure but permanent repair work would require a filing with the Commission.

Leslie Duthie stated she was contacted by Joe Dasco about property he owns on Bradway Road/Alden Thrasher Road. Joe Dasco has been contacted by a developer working in Hampden about buying some of his land to put under conservation. The Trustees of Reservations hold a conservation restriction on a portion of land but there is an area that was kept for future development. The whole property falls within endangered species habitat. She stated this is on her "project list" it is a little complicated as some of the land is registered in Land Court and she would need to have a conversation with Town Counsel. It may take time to work everything out but is worth the effort because this property would connect with land that is already conserved.

The Finance Committee approved the money requested in the Commissions' budget for the gates at the conservation property on Nieske Road.

Leslie Duthie stated she had a call from Michael Moore asking the Commission to include the Silver Bells trails on the same map as the Conservation Commission trails for the property on Silver Street.

Davis Johnson moved to approve the minutes of March 2, 2016.

Glenn Colburn seconded.
It was so voted, unanimous.

8:45 Davis Johnson moved to adjourn.

Leslie Duthie seconded the motion.

It was so voted, unanimous.

Respectfully submitted,

Linda A. Hull